

HOUSE BILL 1513

By Hulse

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 12, Chapter 4 and Title 12, Chapter 3, relative
to call centers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 12, Chapter 4, is amended by adding
the following language as a new part:

12-4-1101.

This part shall be known and may be cited as the "Save Tennessee Call Center
Jobs Act."

12-4-1102.

As used in this part:

(1) "Call center" means a single location that utilizes telecommunication
services in customer services, soliciting sales, reactivating dormant accounts,
conducting surveys or research, fundraising, collection of receivables, receiving
reservations, receiving orders, or taking orders;

(2) "Employer" means an individual or legal entity that employs, for the
purpose of customer service or back-office operations:

(A) Fifty (50) or more employees, excluding part-time employees;

or

(B) Fifty (50) or more employees who in the aggregate work at
least one thousand five hundred (1,500) hours per week, exclusive of
overtime hours;

(3) "Executive agency" means any commission, board, agency, or other entity in the executive branch of state government or any independent entity of the state government that is not a part of the legislative or judicial branch; and

(4) "Part-time employee" means an employee who is employed for an average of fewer than twenty (20) hours per week.

12-4-1103.

If an employer reports to the chief procurement officer that the employer has relocated call center work to this state from a jurisdiction outside of the United States, the employer shall be given a preference for any state contracts and procurements for a period of three (3) years from the date the call center work is relocated as long as the bid for the state contract by the employer is within five percent (5%) of any other bid for the same services.

12-4-1104.

The head of each executive agency shall require that all state-business-related call centers and customer service work be performed by state contractors, or their agents or subcontractors, entirely within this state. Executive agencies shall ensure that all contracts entered into or renewed on or after July 1, 2018, have non-renewal or cancellation provisions to effectuate the purposes of this section.

12-4-1105.

The chief procurement officer is authorized to promulgate rules to effectuate the purposes of this part. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.

SECTION 3. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to bids made on or after that date.